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RUEAWJA/DEPT OF JUSTICE WASHDC

UNCLAS SECTION 01 OF 10 FREETOWN 000165

SIPDIS

C O R R E C T E D C O P Y (ADDING SENSITIVE CAPTION)

SENSITIVE

SIPDIS

DEPT FOR G/TIP (VERONICA ZEITLIN), G, INL, DRL, PRM, AF/W,
USAID

E.O. 12958: N/A

TAGS: [KCRM](#) [PHUM](#) [KWMN](#) [SMIG](#) [KFRD](#) [ASEC](#) [PREF](#) [ELAB](#) [SL](#)

SUBJECT: SEVENTH ANNUAL TRAFFICKING IN PERSONS (TIP) REPORT
FOR SIERRA LEONE

REF: 2006 STATE 202745

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1. (SBU) SUMMARY: Sierra Leone continues to make progress as it recovers from a devastating decade-long civil war that destroyed much of the country's infrastructure. In a little over a year, the level of awareness of trafficking in persons has risen considerably. However, trafficking remains a serious concern, and despite considerable sensitization on this topic, a large percentage of the population remains vulnerable to trafficking. Lack of resources continues to inhibit the Government's ability to accurately assess the magnitude of the problem, provide victims services, and train law enforcement officials.

Sierra Leone's trafficking problem generally appears to be internal. However, Sierra Leone is also a source country for international trafficking, and there is evidence that Sierra Leone is a country of transit and destination.

Following the passage of the Anti-Trafficking in Persons Act in August 2005, a task force was formed that has met regularly to develop a three-year Action Plan on TIP, which it completed in November 2006. The Plan calls for establishing a Tip Task Force Secretariat that will facilitate research, create an inventory of resources and services, and establish linkages between TIP stakeholders to increase Government and civil society's capacity to monitor, combat, prosecute, and convict violators. END SUMMARY.

2. (SBU) Responses below are keyed to questions in reftel.

Sources include: Ministry of Social Welfare, Gender and Children's Affairs (MOSWGCA); Ministry of Labor; Department of Immigration; Sierra Leone Police; the Director of Public Prosecutions; UNICEF; FAITH Consortium; Attorney General's Office; Office of National Security; IOM,. Approximately 80 hours were spent preparing this report by FSO (FP-03) and approximately ten hours by FSN assistant (FSN-10). The Ambassador (FA-MC) spent approximately two hours on the report and the DCM (FO-01) spent approximately three hours.

¶3. (U) Embassy POC for TIP issues is Martin Dale, Political/Economic Officer. Tel: 232-22-515-000 x5120, Fax: 232-22-515-355, E-mail: DaleMA@state.gov.

¶4. (SBU) Begin TIP report:

OVERVIEW

¶A. In Western Africa, Sierra Leone is slowly emerging as a relatively stable post-conflict success story. Nonetheless, there remain considerable problems, mostly the result of the devastation inflicted during Sierra Leone's 11-year civil war. Sierra Leone continues to suffer from a dysfunctional infrastructure, endemic corruption, continuing human rights problems, and poor governance. As a result, much of the population remains vulnerable to trafficking. A 2005 UNICEF-funded trafficking assessment of Sierra Leone highlighted this fact: "war results in an amplification of factors that contribute to and cause trafficking, including poverty, social vulnerability, decimated government infrastructure and services, impunity, corruption, and social dislocation (refugees and IDPs)."

CHILDREN AND WOMEN ARE VULNERABLE TARGETS

Children and youth, defined as 15 - 35 years in age, constitute approximately two-thirds of the country's

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population of 5 million, and only 61 percent of children aged 0-16 live with their parents. Traumatic experiences during the war, shattered extended family and social structures, and extreme poverty make it much more difficult to protect children.

The Constitution and national laws afford little protection for women and children. Many of the country's laws concerning marriage and inheritance are discriminatory, and abuse of women, particularly domestic and sexual assault, is frequent. However, there is pending legislation before Parliament, including a Child Rights Bill to bring Sierra Leone laws in line with the Convention on the Rights of Children and three draft bills) Domestic Violence, Registration of Customary Marriages and Divorce, and Devolution of Estates - that will address many of the current deficiencies in the law.

POVERTY IS A DRIVING FORCE

Migration in Sierra Leone is a common social norm driven by the dire economic situation in the country. To illustrate, Sierra Leone ranks second to last out of 177 countries on the Human Development Index. Within this context, trafficking is more difficult to identify and combat. For example, child fostering - that is, children placed with wealthier relatives - is commonplace in the country. Although many children benefit from such arrangements and receive education and assistance otherwise not available, it is a system that is vulnerable to abuse and can lead to trafficking.

PREVALENCE OF TRAFFICKING

¶B. Sierra Leone's trafficking problem generally appears to be

internal. Sierra Leone is also a source country for international trafficking, and there is evidence that Sierra Leone is a country of transit and destination. Lack of resources continues to hinder the Government's ability to accurately assess the magnitude of the problem. However, widespread sensitization programs by the Government, media and civil society have significantly increased the public's awareness of trafficking and the negative impact it has on society. Sensitization has also led to increased reporting of trafficking cases by the public.

LAW ENFORCEMENT SLOWLY BUILDING CAPACITY

Law enforcement agencies, including the Sierra Leone Police (SLP), Immigration, and Office of National Security (ONS), are slowly gaining a better understanding of trafficking and what is driving it. The SLP has conducted a number of investigations and continues to build its capacity to combat trafficking. Between January 2006 and February 2007, the SLP investigated 12 reported cases of trafficking. Three of the cases were referred to the Director of the Public Prosecutor for legal advice, one case is still under police investigation, in seven cases the accused were charged with trafficking and are in court, and there was one conviction.

Despite these minor advances, there remain poor coordination and information sharing between the ministries responsible for trafficking issues and the SLP. There are also communication and logistical challenges between police headquarters and police ranks in the provinces. The SLP also remains woefully under-funded. Often, traffickers go unpunished because they are either not reported or not arrested.

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There are no government service providers that specifically target trafficking victims. However, civil society has begun to fill this void. In February 2007, the International Office for Migration (IOM), with funding from PRM, opened the first trafficking victims, shelter in the country. The facility will accommodate 22 victims and provide reintegration services including counseling and education for one month before returning victims to their families. IOM is coordinating its victims, assistance activities with the TIP Task Force.

As part of the recently approved TIP 2007 Action Plan, the TIP Task Force will create a TIP Task Force Secretariat that will monitor all TIP-related activities and serve as the clearinghouse for all TIP stakeholders.

Monitoring of trafficking cases remains poor due to limited resources. The Sierra Leone Police (SLP) Family Support Unit (FSU) maintains a database for a number of offenses, including rape, abduction, and child stealing. The FSU has added fields for trafficking (domestic and international, for both labor and sexual servitude) starting in 2006; however, statistics are not reliable, and sensitization of this issue must continue to promote a greater understanding nationwide of trafficking and its indications.

Following the passage of the Anti-Trafficking Act in 2005, Government and non-government organizations have actively participated in the TIP Task Force and are placing a greater emphasis on trafficking. However, there still remains some confusion about what constitutes trafficking as reported cases often turn out to be human smuggling cases. Just like sexual assault and domestic violence, however, reports of trafficking are increasing from year to year, and the Government's ability to identify and properly respond to trafficking cases is increasing correspondingly.

All sources on trafficking state that children appear to be more at risk of being trafficked than adults. However, it is possible that there is a greater willingness of Sierra

Leoneans to report crimes against children vice adults.

Although there are no accurate statistics to quantify the extent of the problem, all indications are that women and children continued to be trafficked from the provinces to towns and diamond mining areas for prostitution and children are trafficked from rural areas into the city and mining areas for forced labor, including domestic work, petty trading, begging, and petty crime. Trafficking may also occur in the fishing and agriculture industries as well as in connection with customary practices such as forced and arranged marriages and ritual sacrifice. Former child soldiers, some of whom remain with their former commanders, are at risk of being recruited in other regional conflicts.

Persons have been trafficked out of Sierra Leone to destinations in West Africa, the Middle East, and Europe. In 2006, France and Spain identified victims of trafficking from Sierra Leone. Other Sierra Leonean trafficking victims have been reported in Germany, Lebanon, Liberia, Guinea, Ivory Coast, Nigeria, Guinea Bissau, and the Gambia. Other suspected destination countries include Austria, Belgium, Ireland, Italy, and Israel, mostly because Sierra Leonean unaccompanied minors and/or illegal immigrants were identified there.

There is evidence showing that Sierra Leone is a transit country for trafficking. The SLP reported that it uncovered a trafficking ring involving an Indian business man in Sierra

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Leone who was trafficking Indian nationals from Nigeria through Sierra to Guinea. The SLP said that it had stopped over 100 Indian nationals and arrested 17. (COMMENT: Due to the sensitivity of this ongoing investigation, Post requests that this information not be included in the report. We provided this information as evidence that Sierra Leone is a transit point and to show that the SLP takes the issue seriously and is making inroads against criminal organizations. END COMMENT) Sierra Leone's inability to monitor its borders, coupled with the ease with which fraudulent identification documents can be obtained, make the country a potential transit point.

There have been no documented incidents of Sierra Leone as a destination country for trafficking; however, foreign national sex workers and refugees living in Sierra Leone may be victims of trafficking. Also, ethnic links with other countries (e.g., Guinea, Lebanon, China) provide an opportunity for Sierra Leone to be used as a destination country.

Relatives or family friends reportedly traffic children to Freetown with false promises to parents that the children will be sent to school. These friends and relatives put children to work for in the home, where they can also be sexually exploited, or placed on the street to engage in petty trading or prostitution. Sometimes children remain on the street, because they are afraid to return to their relative's house where they are often punished and beaten.

There is no law against prostitution, and it is widespread in Sierra Leone. Many women and girls enter the commercial sex industry independently, often due to economic pressures, and are not trafficked; however, there continue to be allegations that female pimps (kaklat) or relatives recruited girls for prostitution directly from villages. Some women who engage in prostitution may be doing so "voluntarily" to escape from other trafficking situations, such as early marriage or domestic servitude.

1C. Sierra Leone continues to recover from an 11-year civil war during which the country was a failed state. Sierra Leone has occupied the bottom ranks of the UN Human Development Index since 1998. There is an overwhelming lack of capacity in the Government, and many competing critical needs. The

Government is effectively bankrupt, with donors providing 60 percent of the country's budget. Corruption is entrenched. The police, judiciary, and social welfare institutions are critically understaffed, have very limited budgets, and have trouble meeting their basic mandates. Knowledge of TIP is gradually increasing at the government level, however, finding resources and building capacity to deal with the problem will remain a serious impediment well into the future.

There is political will from the highest levels of government to combat trafficking in persons, but progress is hampered by lack of resources and education on the issue, even among the political elite. The SLP and Ministry of Social Welfare (MOSW) lack sufficient funding to carry out even their basic mandates. For example, there is no government mechanism in place to train or inform police on new criminal legislation, so NGOs have been the driving force behind raising the SLP's awareness of the new Anti-Trafficking Act. According to the 2007 National Action Plan, GTIP funding to UNICEF will pay for training of 200 GOSL officials, including judges, public prosecutors, police, immigration and customs officers, and border guards. No government victim services exist, and neither the FSU nor the MOSW have shelter facilities.

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¶D. The TIP Task Force, as mandated by the Anti-Trafficking Act passed in 2005, is designated to systematically monitor anti-trafficking efforts (prosecution, prevention, victim protection). The TIP Task Force, of which PolOff is a member, meets the second and fourth week of each month. Member organizations are the Ministries of Social Welfare; Education, Science and Technology; Youth and Sport; Labor; Information; Local Government; Health; Foreign Affairs; Justice; Internal Affairs; Culture and Tourism; SLP; and Immigration. Other members include the U.S. Embassy, Search for Common Ground/Talking Drums Studio, The Women's Forum, the Ombudsman; The National Forum for Human Rights, the FAITH project of World Relief, UNICEF, and IOM. Member organizations have begun reporting TIP cases brought to their attention. However, coordination remains poor between law enforcement agencies, ministries and civil society members, and there is no mechanism in place to give assessments of anti-trafficking efforts. Information is not made public, however, the Government does make trafficking-related information available to international organizations and others on request.

PREVENTION

¶A. The Government acknowledges that trafficking is a problem in the country.

President Kabbah signed the Anti Trafficking in Persons Act in August 2005. The Minister of Social Welfare, Gender and Children's Affairs and the Attorney General convened the first Inter-Ministerial Committee on Trafficking in February ¶2006.

The TIP Task Force meets regularly to discuss anti-trafficking activities and cases.

¶B. The Ministry of Social Welfare and Sierra Leone Police (SLP) take the lead in anti-trafficking efforts in Sierra Leone, and the Ministry of Justice co-chairs the Inter-Ministerial Committee on Trafficking and the TIP Task Force with MOSW. The Inter-Ministerial Committee also includes the Ministries of Education, Internal Affairs, Information, Labor, Health, Foreign Affairs, Local Government, Youth, and Tourism. The TIP Task Force includes representatives from all ministries in the Inter-Ministerial Committee as well as the Principal Immigration Officer, the Commissioner of Police in charge of Crime Services, the Ombudsman, and representatives from NGOs.

¶C. Government officials, particularly from the police and Parliament, have been vocal public advocates of increasing trafficking awareness. The SLP periodically uses allotted radio slots to discuss the dangers of trafficking, and a radio interview with a representative of the Parliamentary Human Rights Committee has been periodically rebroadcast. Government officials from the SLP and MOSW frequently attend NGO-sponsored awareness raising sessions throughout the country. Such sessions focus on warning potential trafficking victims and their families about the dangers of migration to urban areas or out of the country without full information.

¶D. The Government supports other programs to prevent trafficking and has focused largely on education, which is in line with its Poverty Reduction Strategic Plan (PRSP). In July, the Minister of Social Welfare, Gender and Children's Affairs (MOSWGC) attended the Abuja Inter-Ministerial Conference where 24 West and Central African countries,

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including Sierra Leone, adopted and signed a joint Economic Community of Central African States (ECCAS) and Economic Community of West African States (ECOWAS) Plan of Action and Multilateral Cooperation Agreement on combating TIP. In August, the MOSWGC held a two-day training workshop conducted by the Regional Advisor of the Anti-Trafficking in Persons Unit of ECOWAS Welfare

In September, the Government also supported the launch of a project entitled, &Raising Awareness about Trafficking in Persons to Reduce Its Prevalence.8 Funded by TIP money, Pampana Communications, a community theatre group, premiered a play titled, &Mortal Man Nor To For Sell8 (A Human Being is not for Sale) to raise national awareness about the dangers of human trafficking.

The Ministry of Social Welfare, Gender and Children's Affairs periodically travels upcountry to educate women on trafficking, women's empowerment, and sustainable development.

There are a number of committees and commissions established to deal with the wide spectrum of serious human rights abuses that occurred as a result of the country's 11-year civil war whose activities could play a role in the fight against trafficking. These bodies include the Coordinating Committee for the Prevention of Sexual Exploitation and Abuse, the Sexual Violence Committee, Child Welfare Committee, National Commission on Child Labor, and the National Commission for War Affected Children. In December 2006, the Government appointed the Human Rights Commission, which will be responsible for monitoring the implementation of Sierra Leone's Truth and Reconciliation (TRC) recommendations. However, most of these bodies are generally marginalized due to inadequate resources.

¶F. Coordination between the Government, NGOs, and international organizations on trafficking issues has increased significantly through the TIP Task Force. The relationship between Government officials and civil society members is very positive and has produced tangible results, such as the 2007 TIP Action Plan. However, there is much room for improvement. Improved coordination will make the TIP Task Force more effective.

¶G. See paragraph F.

¶H. The TIP Task Force, as mandated by the Anti-Human Trafficking Act of 2005, has been in operation since February 2006 and meets regularly. Chaired by representatives from the Ministry of Justice and Ministry of Social Welfare, the Task Force has developed a comprehensive three-year National Action Plan on TIP (2008-2010). The Plan calls for the formation of a TIP Task Force Secretariat that will coordinate all anti-trafficking activities in Sierra Leone. Components of the plan include research, assessment,

prevention, protection, prosecution, and monitoring and evaluation. The Plan is funded by a combination of sources; the Government, the \$100,000 GTIP grant to UNICEF, and PRM's \$500,000 grant to IOM.

Investigation and Prosecution of Traffickers

¶A. President Kabbah signed the Anti-Human Trafficking Act in August 2005. The law prohibits trafficking for labor, sexual exploitation, illicit removal of human organs, and exploitation during armed conflicts. The law covers both internal and external trafficking and is consistent with the

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Palermo Protocol.

¶B. Convicted traffickers face up to ten years of imprisonment, fines of 50 million leones (approximately \$17,000), and victim restitution costs.

¶C. Penalties are the same for trafficking for labor and sexual exploitation.

¶D. Under the Offenses Against the Person Act of 1861, rape of a person over the age of 16 carries a potential penalty of life imprisonment, which is more severe than the penalty for sex trafficking.

¶E. No law specifically prohibits prostitution, but there are laws against operating brothels and procuring a female by threats or coercion for the purpose of prostitution. Government officials have become more vigilant in closing down brothels. Prostitutes are sometimes arrested for other crimes, including loitering.

¶F. The SLP has conducted a number of investigations and continues to build its capacity to combat trafficking. Between January 2006 and February 2007, the SLP investigated 12 reported cases of trafficking. Three of the cases were referred to the Director of the Public Prosecutor for legal advice, one case is still under police investigation, in seven cases the accused were charged with trafficking and are in court, and there was one conviction.

¶G. There are networks in Sierra Leone for adoption fraud, and some evidence of possible trafficking networks. Many traffickers are relatives of the victims, and victims initially leave with the consent of family. There is no evidence that profits from trafficking were channeled to armed or terrorists, judges or banks.

¶H. The Government actively investigates trafficking and uses undercover operations to assist in investigations.

¶I. The Government has not provided any specialized training for government officials in trafficking, but government officials are encouraged to attend NGO-facilitated trafficking training. The TIP Action Plan calls for the training of 200 GOSL officials, including judges, public prosecutors, police, immigration and customs officers, and border guards.

¶J. There are no current cooperative international investigations of trafficking, but the Government has sought cooperation with other governments to pursue past trafficking investigations.

¶K. The Extradition Act of 1974 allows for extradition of persons subject to crimes committed and the country of the offense, but there have been no requests to extradite a suspect for trafficking. The Extradition Act allows for the extradition of Sierra Leone nationals to other countries for trial.

1L. There are no known instances of GOSL authorities facilitating or condoning trafficking; however, prevalent social attitudes and lack of government capacity and awareness of trafficking mean that barriers to internal trafficking are low. Low-level government officials who forge documents such as birth, marriage, and death certificates rarely suffer punishment, but there is no proof that these forged documents are used to facilitate trafficking.

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1M. Not applicable. See paragraph K above.

1N. Sierra Leone has not been identified as having a child sex tourism problem. The 1974 Extradition Act provides for the extradition of suspects for sexual offenses.

1O. Sierra Leone has signed and ratified ILO Convention 29 and 105 on forced or compulsory labor and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

Sierra Leone signed The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention Against Transnational Organized Crime in November 2001. The Parliament has not yet ratified it.

Sierra Leone signed ILO Convention 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labor in June 1999. The Parliament has not yet ratified it.

PROTECTION AND ASSISTANCE TO VICTIMS

1A. The Government's own capacity to care for victims of any kind is extremely limited and there are no government shelters for trafficking victims. NGOs and international organizations provide some services to victims. In February 2007, the International Office for Migration (IOM), with funding from PRM, opened the first trafficking victims, shelter in the country. The facility will accommodate 22 victims and provide reintegration services including counseling and education for one month before returning victims to their families. IOM is coordinating its victims, assistance activities with the TIP Task Force.

1B. The Government supports efforts of NGOs and IOs in the form of hosting meetings. Most government capacity to deal with the trafficking problem, however, comes from NGOs and IOs.

1C. The Police refer victims to the Ministry of Social Welfare for follow-on placement with NGOs. The Ministry of Social Welfare tries to place social workers in FSUs nationwide to provide counseling and assistance to victims; however, the Ministry has difficulty retaining them. Once trained, according the Minister, a number of social workers left to work for NGOs.

The MOSW works with UNICEF and service provider NGOs to form a child protection network for street children. There is a pilot program of bail homes operating in Kenema and Makeni where children who are alleged nonviolent offenders can stay in temporary foster care if their families do not post bail for them.

1D. In the case of the Indian nationals being trafficked to Guinea, it is unclear if the individuals arrested were trafficking victims or smuggled individuals. Otherwise, there are no known cases in which the rights of a known trafficking victim were not respected.

1E. Sierra Leone's justice sector was destroyed by the 11-

year civil war. A new UK-sponsored Justice Sector Development Project began in 2005 to rebuild it. The justice system is currently characterized by delays and corruption, and trafficking victims would have a difficult time - like other

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Sierra Leoneans - in obtaining justice through the current legal system.

Social factors often prevent women and children victims of sexual and other violence from obtaining justice in the court system. Rape cases, for instance, are often settled out of court by male family members. Such social factors may also serve as a barrier for trafficking victims to access justice.

The new Anti-Trafficking Act provides for victim restitution as a penalty for trafficking.

1F. There are no witness protection programs available. However, there are several programs implemented in partnership with international organizations and NGOs that provide assistance and protection services to victims of violence and sexual exploitation.

1G. The TIP Action Plan has components that include provisions for training that will target specialized training for government officials to assist with the recognition of trafficking cases. There are also protection components that will train victims service providers to better treat children victims.

Due to limited resources, the Government does not provide training on protections and assistance to its embassies and consulates in foreign countries that are destination or transit countries, nor does it encourage its embassies and consulates to develop ongoing relationships with NGOs that serve trafficked victims.

1H. No, the Government does not provide assistance to its repatriated nationals who are trafficking victims.

1I. International organizations provide child protection, trafficking awareness training, vocational training, and counseling services. They include UNICEF, UNHCR, ICRC, IOM; and NGOs such as the FAITH Consortium, International Rescue Committee, Save the Children, Defense for Children International, CARITAS, COOPI, Human Rights Youth Coalition, Don Bosco Fambul, Women in Crisis Movement, Christian in Action Development Agency, FAWA, and GOAL SL.

TIP Hero

For a second year, Post nominates Ms. Kadi Fakondo, an Assistant Commissioner in the Sierra Leone Police. Fakondo continues to play a vital role in raising awareness of Sierra Leoneans about the nature of trafficking in persons.

When Fakondo was the Local Unit Commander of the police station in Kissy in 2000, she started the first Family Support Unit (FSU) - a special police division to help women and children deal with rape and domestic violence. With Fakondo at the helm, Family Support Units eventually multiplied and are now in place countrywide. With the expansion, reporting of sexual violence has steadily increased.

After attending her first trafficking seminar, Fakondo became an avid promoter of efforts to combat trafficking. A dynamic, charismatic, and well-respected speaker, Fakondo frequently voices her concerns and convictions about trafficking over the radio, at seminars, at interagency meetings, and with her own staff. Fakondo was the driving force behind the ad hoc TIP Task Force that formed after the passage of critical TIP

legislation in 2005. She found a place for the Task Force to meet, provided a secretary to take minutes and keep attendance, and urged key stakeholders to attend meetings.

Much of what the TIP Task Force has accomplished this year can be attributed to Fakondo,s drive and perseverance to combat this very difficult and complex issue in Sierra Leone and educate the public about the menace of trafficking.

HULL